

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Jhanwar et al.  
Serial No. 10/044,570  
Filed January 11, 2002  
Confirmation No. 9456  
For DYNAMIC SOFTWARE UPDATE  
Examiner Andre R. Fowlkes

Art Unit 2192

February 28, 2007

**SUMMARY OF FEBRUARY 27, 2007 TELEPHONIC INTERVIEW**  
**WITH EXAMINER FOWLKES**

TO THE COMMISSIONER FOR PATENTS,  
SIR:

Pursuant to MPEP §713.04, Applicants submit the following substance of a telephonic interview on February 27, 2007 with Examiner Fowlkes:

Applicants thank Examiner Fowlkes for the courtesy of a telephone interview on February 27, 2007. Applicants' representatives, Robert M. Bain and (Arthur) Tan-Chi Yuan, discussed the invention, its advantages, the independent claim 1 and the cited reference Albright, U.S. Patent No. 6,110,228. In particular, Applicants pointed out distinctions between the claimed invention and the cited art are that a update content for a software program is automatically and dynamically obtained and the update content and the software program are merged before installation. The Albright patent, however, discloses a user-triggered request to initiate update process and the update is not merged prior to installing the software program.

The Examiner indicated that he acknowledges the above distinctions over the prior art, will consider Applicants' arguments before issuing a subsequent Office action. Applicants also indicated that Applicants are amenable to Examiner's amendments to further place the application in condition for allowance. No exhibits were shown.

Respectfully submitted,  
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